IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TWELFTH DAY OF NOVEMBER, TWO THOUSAND AND THREE

PRESENT

THE HONOURABLE DR. JUSTICE : MOTILAL B. NAIK.

AND

THE HON'BLE MR. JUSTICE : DALAVA SUBRAHMANYAM

WRIT PETITION NO : 23910 OF 2003

Between:

M/s. Bharati Mobile Limited, A Company registered under the Companies Act, having its registered Office Qutab Ambience, H-5/12, Mehrauli road, New Delhi 11020 and its A.P. Circle Office at 2nd Floor, May Home Tycoon, Kundan Bagh, Begumpet Hyderabad-500 016, rep by Constituted Attorney K.B.S. Sharma

Petitioner

AND

1 Government of Andhra Pradesh rep by Secretary to Government Revenue (Commercial Tax) Department, Secretariat Buildings, Hyderabad
2 The Commissioner of Commercial Taxes, Government of Andhra Pradesh, Hyderabad
3 Assistant Commissioner (CT) No.11 Enforcement Wing 3rd Floor, Griha Kalpa Buildings, Nampally, Hyderabad
4 The Commercial Tax Officer, Basheerbagh Circle, Hyderabad
5 The Standard Chartered Bank, Somajiguda Branch, rep by the Manager, Somajiguda, Hyderabad

Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Certiorari calling for the records relating to the Final Assessment order for the year 2001-2002 bearing GINo.3471/2001-2002 (APGST), dt 03/07/2003 of the Commercial Tax Officer, Basheerbagh Circle, Hyderabad and quash the same and further declare the consequential Notice Under Sec. 17 of the A.P. General Sales Tax Act bearing Rc. No. /03/04 dt 11/11/2003 as illegal and void

The petition coming on for orders as to admission, upon perusing the petition and the affidavit filed therein and upon hearing the arguments of Mr. P. Kamalakar, Advocate for the Petitioner and the Special Govt. Pleader for Taxes, for the respondents 1 to 4, the Court made the following

ORDER:

" Learned Spl. G.P. for Taxes takes notice on behalf of the respondents and seeks time to obtain instructions.

Post on 18-11-2003 for admission.

Pending admission there shall be interim suspension of the notice dt. 11-11-2003 issued u/s. 17 of the A.P.G.S.T. Act. "

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1 The Secretary to Government, Government of Andhra Pradesh, Revenue (Commercial Tax) Department, Secretariat Buildings., Hyderabad.

2 The Commissioner of Commercial Taxes., Government of Andhra Pradesh., Hyderabad.
3 The Assistant Commissioner (CT) No.II Enforcement Wing, 3rd Floor., Griha Kalpa Building., Nampally., Hyderabad.
4 The Commercial Tax Officer, Basheerbagh Circle, Hyderabad.
5 The Manager, Standard Chartered Bank, Somajiguda Branch, Somajiguda., Hyderabad.
6. Two CCs to Spl. G.P. for Taxes, High Court of A.P., Hyderabad. **(OUT)**
7. Two spare copies.

USR.